

July 11, 2025

VIA ECF

Hon. Victoria Reznik
United States Magistrate Judge
United States District Court for the Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *Graham et al v. Vassar College*, No. 7:23-cv-07692

Dear Judge Reznik:

The parties submit this joint status letter pursuant to the Court's Order, dated June 2, 2025 (ECF No. 74).

Discovery. Since their last joint status letter, the parties have continued to negotiate the parameters for ESI collection and review, including working collaboratively to come to an agreement on search terms and custodians, pursuant to the ESI protocol. On Defendant's part, this process has involved collecting data from proposed custodians and running the parties' respective proposed search terms and date ranges so that the volume of data can be assessed. On Plaintiffs' part, this process has involved collecting ESI from the Plaintiffs and running the parties' respective proposed search terms to assess the volume of ESI to be reviewed. With the parties' respective search term hit counts guiding their discussions, the parties have engaged in further discussions regarding the potential narrowing and revision of search terms to better target potentially responsive documents, keeping in mind overall proportionality concerns with respect to the volume of data to be reviewed. The parties are continuing to develop a timeline for the substantial completion of ESI productions as they work toward final agreement on ESI parameters.

With respect to other discovery that has been completed thus far, as set forth in the parties' prior joint status letters, Plaintiffs and Defendant both served and responded to one another's written document requests and interrogatories, and the parties also exchanged initial disclosures. The parties continue to meet and confer regarding any unresolved items from those responses, with the understanding that some items are necessarily part of the parties' negotiations related to ESI.

Plaintiffs' counsel also continues to actively work with each of the named plaintiffs to gather all responsive documents. Defendant's counsel similarly continues to actively work with Vassar to gather responsive documents. Going forward, both parties plan to continue rolling productions of documents that have been manually collected from their clients.

The parties have also discussed the scheduling of depositions, and in light of continued ESI negotiations, continue to meet and confer regarding the schedule for exchanging discovery in advance of Plaintiffs' motion for class certification. The parties propose modifying the current scheduling order to provide that briefing on that motion commence within six months of the parties' agreed upon deadline for substantial completion of document production. The parties intend to jointly submit a proposed deadline for substantial completion and an adjusted schedule for briefing class certification no later than August 8, 2025.

Settlement. Since the parties' last case management statement, they have restarted discussions related to settlement, and Plaintiffs have proposed potential mediators for Vassar's consideration.

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